

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Chinchilla,

Plaintiff,

v.

New York City Police Department et al.,

Defendants.

23-CV-8986 (DEH)

MEMORANDUM ORDER

DALE E. HO, United States District Judge:

Currently before the Court are several discovery-related motions filed by the parties in the above-captioned case. Specifically, the following motions have either not been formally closed or have not yet been adjudicated:

- Plaintiff's August 19, 2024 Letter Motion for Discovery Sanctions under Federal Rule of Civil Procedure 37 and for this Court to hold a Discovery Conference under Local Civil Rule 37.2, ECF Nos. 52 & 53;¹
- Plaintiff's October 3, 2024 Letter Motion to Compel Discovery and for a Local Civil Rule 37.2 Conference, ECF No. 68;
- Plaintiff's October 4, 2024 Letter Motion to Compel Discovery and for a Local Civil Rule 37.2 Conference, ECF No. 69;
- Plaintiff's February 27, 2025 Letter Motion for Leave to File Discovery, ECF No. 92, and Plaintiff's Motion to Withdraw her Motion to File Discovery, ECF No. 93; and
- Plaintiff's Motion for Leave to correct an issue with an exhibit to her Rule 56.1 Statement in Support of her Motion for Summary Judgment, ECF No. 109.

¹ These Motions appear to be identical save for the fact that Plaintiff's letter accompanying her first motion, ECF No. 52, was corrupted. The Court will, therefore, terminate ECF No. 52 as moot in light of Plaintiff's refile of the same motion at ECF No. 53.

The Court held a conference with the parties on October 21, 2024, resolving the discovery issues set forth in Plaintiff's August and October letter motions. Therefore, ECF Nos. 52, 53, 68, and 69 are resolved insofar as they seek relief under Local Rule 37.2 and/or to compel discovery. Additionally, the parties were able to resolve the discovery-related issue described in Plaintiff's February 27, 2025 letter, rendering that request resolved as well.

Therefore, the only outstanding requests are Plaintiff's Rule 37 Motion for Discovery Sanctions, ECF No. 53, and Plaintiff's Motion for Leave to correct an exhibit to her Rule 56.1 Statement, ECF No. 109. The Court RESERVES JUDGMENT on Plaintiff's request for sanctions. With respect to the exhibit, **by Friday, June 13, 2025**, Plaintiff shall refile the entire Rule 56.1 Statement with all Exhibits attached, including a corrected Exhibit 3. Plaintiff shall contact the ECF Help Desk to request that her original Rule 56.1 Statement, ECF No. 100, be stricken.

The Court will resolve the parties' pending cross-motions for summary judgment, ECF Nos. 94 & 98, in due course.

The Clerk of Court is respectfully directed to terminate ECF Nos. 52, 68, 69, 92, 93, and 109.

SO ORDERED.

Dated: June 9, 2025
New York, New York



DALE E. HO
United States District Judge